

CHARLOTTESVILLE CITY COUNCIL MINUTES
Joint Public Hearing with Planning Commission
November 14, 2023 at 6:00 p.m.
Council Chamber, 605 E. Main Street

The Charlottesville City Council met for a joint public hearing with the Charlottesville Planning Commission, the meeting having been duly noticed. Mayor Lloyd Snook called City Council to order at 6:12 p.m. following the Planning Commission opening of the public hearing portion of the meeting. The following Council members were present: Brian Pinkston, Leah Puryear, Juandiego Wade and Lloyd Snook. Councilor Payne arrived at 6:20 p.m. during the first public hearing.

Public hearings were heard in the following order:

1. ZM23-00004 – VERVE Charlottesville PUD

Subtext Acquisitions, LLC (“Applicant”), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, (“Owner”) is requesting a Zoning Map Amendment pursuant to Sections 34-41 of the Code of the City of Charlottesville (“Code”) for properties (“Subject Property”): Parcel Number: 160008000, 1705 Jefferson Park Avenue, Charlottesville, VA 22903, Parcel Number: 160005000, 106-114 Stadium Road, Charlottesville, VA 22903, Parcel Number: 160004000, 100 Stadium Road, Charlottesville, VA 22903, Parcel Number: 160003000, 102 Stadium Road, Charlottesville, VA 22903, Parcel Number: 160002000, 104 Stadium Road, Charlottesville, VA 22093, Parcel Number: 160001000, 409 Stadium Road, Charlottesville, VA 22903; The applicant is proposing to rezone the Subject Property from Multifamily Residential (“R-3”) to Planned Unit Development (“PUD”) with a Development Plan and a Proffer Statement. The application and development plan includes parking requirements; a use matrix including a maximum dwelling units per acre (“DUA”); yard and height regulations; open space; and landscaping. The Proffer Statement indicates the applicant will provide a cash contribution to the City’s affordable housing fund in the amount equal to double that which is required under Section 34-12(d)(2). The applicant is proposing to redevelop the Subject Property and replace the existing (62) residential units (spread between nine different buildings) with one building containing between (524) to (550) residential units. The proposed building will have a height range of (75) feet to (135) feet and stories that range from (5) to (12). In addition, the proposed PUD includes improved pedestrian and bicycle circulation along Stadium Road, Emmet Street, and Jefferson Park Avenue and road improvements to Montebello Circle. The Subject Property is approximately 3.3 acres with road frontage on Jefferson Park Avenue, Stadium Road, Emmet Street, and Montebello Circle. The Comprehensive Land Use Map designates this area in the Urban Mixed Use Corridor. The Subject Property is zoned Residential Multifamily (R-3) (104 Stadium Road is zoned R-3H and is an IPP) with an Entrance Corridor Overlay. This application may be viewed online at <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-developmentservices> or a copy is on file in the Department of Neighborhood Development Services, 2nd Floor of City Hall, 610 East Main Street. Persons interested in this SUP request may contact NDS Planner Matt Alfele by e-mail (alfelem@charlottesville.gov) or by telephone (434-970-3636).

The public hearing was opened and the following people spoke:

- Ellen Contini-Morava, 225 Montebello Circle, spoke about variances in In-lieu affordable housing fees for student housing versus family housing.
- John Hossack, city resident, spoke in support of comments from Ms. Contini-Morava and expressed concerns about potential development heights by-right.

With no additional speakers, the public hearing was closed, and the Planning Commission deliberated.

2. **ZM23-0002, SP23-00003 and P23-0046 - 108 Lankford Avenue**

On November 14, 2023, the Planning Commission and City Council will conduct a Joint Public Hearing for a Rezoning application and a Special Use Permit Application (“SUP”) for property located at 108, 110, 112 Lankford Avenue and identified in the City’s land records as Tax Map and Parcel (“TMP”) No. 260012000 (the “Subject Property”). Following the Joint Public Hearing, it is the intention of the Planning Commission to vote on whether to recommend approval of the Rezoning, SUP and Critical Slope Waiver. The owner, Green Retro Salvage II Holdings, LLC, has submitted a Rezoning application pursuant to Charlottesville City Code Section 34-41 to change the existing zoning of the Subject Property from Single-Family Residential Small Lot (“R-1(S)”) to the R-3 Multifamily Residential (“R-3”) with proffers. The proffers include provisions for 12.5% of residential units to be affordable to households at 60% of the area median income. The full proffer statement may be viewed in the application materials or by contacting the project Planner. The owner has also submitted a SUP application to increase the by-right density from 21 dwelling units per acre (“DUA”) to 51 DUA along with modifications to the setbacks and screening requirements pursuant to Charlottesville City Code Sections 34-420, 34-158, and 34-162. The setback and screening modifications include the following: Lankford Avenue front yard setback (City Code Section 34-353A): Modified from 25-foot minimum to 10-feet. Setback requirement adjacent to low-density residential districts (City Code Section 34353(b)(4)): Modified from 75-foot minimum to 10-foot side setback and 25-foot rear setback. Setback screening requirement adjacent to low-density residential districts (City Code Section 34872(a)(1)(a)): Modified from 20-foot minimum S-2 screen landscape buffer to 6-foot opaque screening fence. In order for the applicant to implement the development plan as presented, the applicant will also need approval from City Council on Critical Slope Waiver Application P23-0046 per City Code Section 341120(b). The applicant is proposing a multifamily residential development with up to 48 units through new construction. The Subject Property is approximately 0.95 acres with road frontage on Lankford Avenue. The Comprehensive Land Use Map designates the Subject Property area as General Residential. Additional information pertaining to these applications (ZM23-0002, SP23-00003, and P23-0046) may be viewed online at www.charlottesville.gov/agenda. Persons interested in these applications may also contact NDS Planner Carrie Rainey by email at (raineyc@charlottesville.gov) or by telephone (434-9703453).

Justin Shimp, applicant, made a presentation and requested deferral of the project.

The public hearing was opened. With no speakers, the public hearing was closed, and the

Planning Commission deliberated. The Planning Commission voted to accept the applicant's request for deferral.

3. ZM23-00003 – 2117 Ivy Road PUD

Williams Mullen ("Applicant"), on behalf of RMD Properties LLC, ("Owner") is requesting a Zoning Map Amendment pursuant to Sections 34-41 and 34-490 through 34519 of the Code of the City of Charlottesville for property located at 2117 Ivy Road and identified in the City's land records as Tax Map and Parcel ("TMP") No. 070001200 (the "Subject Property"). Following the Joint Public Hearing, it is the intention of the Planning Commission to vote on whether to recommend approval of the Rezoning request. The applicant is proposing to rezone the Subject Property from Urban Corridor ("URB") to Planned Unit Development ("PUD") with a development plan and proffers. The proffers indicate the applicant shall choose one of the following options: either provide 10% of residential units as affordable dwellings to households at 60% of area median income, or provide a cash contribution to the City's affordable housing fund in the amount equal to double that which is required under Section 34-12(d)(2). The full proffer statement may be viewed in the application materials or by contacting the project Planner. The development plan includes a commitment to affordable housing; a transportation demand management plan; a use matrix; yard and height regulations; parking requirements; open space; and landscaping. The applicant is proposing to redevelop the Subject Property and replace the existing commercial structure with one building containing (287) residential units. The proposed building will have a height of (130) feet and include (10) stories plus rooftop amenity space. In addition, the proposed PUD includes improved pedestrian and bicycle road markings at the intersection of Ivy Road, Copeley Road and Alderman Road. The Subject Property is approximately 1.027 acres with road frontage on Ivy Road and Copeley Road. The Comprehensive Land Use Map designates this area as Urban Mixed-Use Corridor. The Subject Property is zoned Urban Corridor (URB) with an Entrance Corridor Overlay. Additional information pertaining to this application (ZM23-00003) may be viewed online at www.charlottesville.gov/agenda. Persons interested in this application may also contact NDS Planner Dannan O'Connell by email at (oonnell@charlottesville.gov) or by telephone (434-970-3991).

The traffic study did not recommend traffic improvements.

Valerie Long, representing the applicant, made a presentation.

Steve Buss, RMD Properties, answered questions about architectural components that mitigate traffic as related to the loading zone and deliveries.

Scott Dunn, Timmons Group, summarized traffic options discussed with the city's traffic engineer, particularly concerning left turns at the Ivy and Copeley intersection.

The public hearing was opened and the following people spoke:

- Anthony Artuso, on behalf of the Lewis Mountain Neighborhood Association, spoke in opposition to the project as currently designed.
- Ivo Romenesko, 920 Windsor Road, spoke in support of the project, citing the city's fixed amount of land and growing population.

- Natalie Oschrin, 531 Caroline Avenue, spoke in support of the project which will provide more housing in the city.
- Alice Roucher, architect with the University of Virginia, asked for consideration of how the proposed structure fits in with the existing residential and commercial character of the area and the city's established guidelines. She restated UVA's commitment to be part of the solution for affordable housing in the community.

Mr. Wade left the meeting at 8:48 p.m.

- Mo Van de Sompel, UVA student, spoke in support of the project.
- George Snyder, Lewis Mountain Road, asked the Planning Commission to deny the variance request for extra stories.
- A resident spoke in opposition to the project with concerns about how the project looks. She stated that building a dorm does not help families.
- Christine Palozolo, Douglas Avenue, expressed concern about the size of the development, ingress, egress, and other traffic concerns.

With no additional speakers, the public hearing was closed at 9:01 p.m. and the Planning Commission deliberated, concluding City Council business for the evening.

BY Order of City Council

BY Kyna Thomas, Clerk of Council